

DEPARTMENT OF HUMAN RESOURCES  
SOCIAL SERVICES ADMINISTRATION  
311 WEST SARATOGA STREET  
BALTIMORE, MARYLAND 21201

DATE: August 21, 2009

POLICY #: SSA 10-06

TO: Directors, Local Departments of Social Services  
Assistant Directors of Social Services  
Local Department of Social Services

FROM: Carnitra D. White, Executive Director  
Social Services Administration

RE: Exit Policy for Youth 18 Years and Older  
Reentry Policy for Youth - 18 yrs up to age 21

PROGRAMS AFFECTED: Out-of-Home Placement Services (Permanency) and  
Transitioning Youth Services

ORIGINATING OFFICE: Child Welfare Practice & Policy

ACTION REQUIRED OF: All Local Departments

REQUIRED ACTION: Implement policy and procedures when youth exit care at  
age 18 or older.

ACTION DUE DATE: September 1, 2009

CONTACT PERSON: Deborah Ramelmeier, Director  
Child Welfare Practice & Policy  
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**Background**

In 1999, the Foster Care Independence Act (FCIA) was enacted which provided States with a funding stream to prepare youth for leaving foster care and targeted federal funds on independent living programs. This act also established the John H. Chafee Foster Care Independent Living Program and broadened the services that States could provide to assist youth in successfully transitioning to independence. The 2008 Fostering Connections Act further broadens service delivery to older youth by extending IV-E eligibility up to age 21 for IV-E eligible youth who meet certain criteria as of October 2010.

For many years Maryland has provided extended foster care eligibility up to the age 21 using State General Funds. Despite this, many youth have left care prior to age 21 without adequate preparation or the necessary supports that would enable them to successfully transition into adulthood. Although Aftercare Services exist to provide some supports to these youth up to age 21, there has been no ability for the youth to reenter the protection of the foster care system.

**Purpose**

Statistics show that without proper preparation and support, foster youth are more likely than other youth to be substance abusers, homeless, incarcerated or unemployed. Studies have also shown that positive outcomes increase for youth who are able to access educational and supportive services after age 18. It is essential that youth are provided with services that will build stable, lifelong relationships; help them access and manage health care; build life skills and acquire assets; promote educational attainment; connect to employment and career opportunities; and enhance access to stable and adequate housing. It is also essential that youth between the ages of 18-21 are encouraged to take full advantage of the services available to them.

This policy directive establishes the protocol to be used when a youth exits care between the ages of 18- 21, except by means other than reunification, adoption, guardianship, marriage, or military duty. The standards established by this policy directive are minimum standards and may be increased according to the child's needs, circumstances, and best interest. This policy also establishes Enhanced Aftercare Services to allow youth who leave care after age 18 but prior to age 21 (except those exiting by means of reunification, adoption, guardianship, marriage, or military duty), the opportunity to re-enter the system for the purpose of the local department funding an approved living arrangement.



**Transitioning Youth Exit Policy**

According to COMAR 07.02.10.03, youth are eligible to remain in the care and custody of the LDSS after age 18 if they are in school/training, employed, or disabled. It is a privilege which requires the youth to demonstrate a level of responsibility and cooperation with the LDSS. Youth shall meet the eligibility criteria to remain in care and the LDSS shall make every effort to assist the youth in meeting the criteria. **Local department of social services may not request Rescission of Commitment for any youth under the age of 18 without an award of custody to another adult.** If the youth has a mental health diagnosis or a developmental disability which prevents the youth from living independently, the LDSS may not request rescission prior to age 21. The availability and appropriateness of legal remedies shall be explored whenever the Court rescinds custody over the objection of the LDSS.

- A. The caseworker shall immediately schedule a Family Involvement Meeting when the caseworker is made aware that a youth is considering leaving care prior to age 21; a youth is non-compliant with program or placement requirements; or the local department is considering rescission due to the youth's incarceration or other circumstance. The youth's support network (i.e. parents, siblings, extended family, friends, and service providers, if applicable) and the youth's attorney shall be invited. The following shall be discussed/explored as part of the FIM:
1. Services and referrals made for the youth in past and any unmet needs;
  2. The youth's self expression (verbally or in writing) detailing why they no longer desire to remain in care;
  3. The advantages of remaining in out-of-home placement, such as educational opportunities, housing, and monetary assistance;
  4. If the youth is non-compliant, an explanation of what is required for the youth to remain in care and the opportunity for the youth to explain his/her circumstances, identify barriers to compliance and request support;
  5. Exploration of innovative approaches to help the youth to remain in care;
  6. If placement is an issue, other possible placement options, including applicability of SILA; and
  7. How the youth will maintain him/herself after exiting care (i.e. housing, health care, employment, finances).
- B. A transition plan shall be developed during the 90 day period immediately prior to the date of rescission - 42USC675(5)(H).
1. The plan shall be developed by the child, any representatives of the child as appropriate and the caseworker.
  2. The plan shall be personalized at the direction of the child and may be as detailed as the child elects.
  3. The plan shall include specific options on:
    - a. Housing;
    - b. Health insurance;
    - c. Education;
    - d. Local opportunities for mentors and continuing support services; and

e. Work force supports and employment services.

No youth may be transitioned to homelessness. The youth shall sign the transition plan and receive a copy along with the FIM minutes. A copy of the plan shall be sent to the youth's attorney.

- C. If the youth and the youth's attorney request discharge from care at a court hearing and the above protocol has not been followed, the LDSS shall object to any motion to rescind custody and request that the Court delay any rulings until a Family Involvement Meeting is held.
- D. If a youth is still non-compliant with program requirements (attending school or employed and there is no disability), the following protocol shall be followed before requesting rescission of custody:
1. The caseworker shall visit the residence in which the youth will reside to assess the environment for safety;
  2. The caseworker shall obtain the youth's address, telephone, and name of a family member or friend who will serve as support to the youth;
  3. The youth will be provided with the Health Passport, original or certified copy of birth certificate, social security card, copy of last court order and Maryland issued ID;
  4. The youth will be provided with information relating to Independent Living Aftercare and Enhanced Aftercare, including the 1-800 number for the State of Maryland;
  5. The youth shall be provided with a contact number at the local department to provide updated address, emails, electronic communications (Facebook, Twitter, MySpace, etc.) and telephone contact number(s); and
  6. The local department shall develop a written exit plan which lists documents provided, reasons for rescission, resource referrals provided, information about Independent Living After Care eligibility and any other information relevant to the youth's circumstance. The exit plan shall be signed by the youth, worker and the local director (or designee). An Exit Care Checklist form is attached for use by local departments at their option.
- E. The director of the local department of social services (or their designee) shall approve all requests for rescission due to noncompliance.

**Enhanced After Care Services**

According to COMAR 07.02.10.11, if a youth exits care after age 18, but prior to age 21, they are eligible for after care services, which provides former foster care youth with an opportunity to continue learning and practicing independent living skills and activities for a specified period of time, as indicated in the service plan, while receiving services from the local department. The goal of the program is to assure that program participants recognize and accept personal responsibility for making the transition into adulthood. This applies to youth from any state who were in foster care as of their 18<sup>th</sup> birthday or



exited care via adoption or relative guardianship after their 16<sup>th</sup> birthday. With this policy, Maryland is creating a new option, herein referred to as Enhanced After Care Services. This option is available only to youth who exited from Maryland DHR foster care after age 18. These youth may apply for services which include the ability for the local department of social services to pay for the care of a youth with a DHR contracted or approved provider or receive a SILA payment.

A. Eligibility Criteria:

1. Youth was in the care and custody of a Maryland LDSS on their 18<sup>th</sup> birthday;
2. Youth left foster care prior to age 21; and
3. Youth is not older than 20yrs 9 months at the time of application for reentry into care

B. Request for Enhanced After Care Protocol

1. The youth contacts the LDSS that held custody either by telephone or in person to request placement services. If the youth resides in another jurisdiction and it is not geographically feasible for the original jurisdiction to handle the request (i.e. custody jurisdiction was Garrett County and child now resides in Wicomico County), the Assistant Director shall immediately contact the jurisdiction in which the youth resides to arrange the provision of services by that jurisdiction.
2. A referral for Non-CPS Services is generated in MD CHESSIE. Once approved, the referral is forwarded to the staff person (After Care Specialist) identified at each LDSS to respond to requests for enhanced after care by former foster youth.
3. Within 5 business days, the LDSS After Care Specialist shall:
  - a. Determine if the youth meets criteria for reentry;
  - b. Conduct an initial assessment of his/her immediate needs and offer any available services to resolve immediate needs and to ascertain level of after care services desired and required; and
  - c. Hold a Family Involvement Meeting (include the youth and their support network; i.e. parents, siblings, extended family, friends, and service providers, if applicable) to develop an after care plan and determine if reentry into foster care is the best way to meet the youth's needs.
4. The Assistant Director for Services (or their designee) shall approve all requests for enhanced after care services. Once approved, the LDSS shall make diligent efforts to locate an appropriate living arrangement to meet the youth's needs.
5. Youth shall reside in a paid independent living program or provided with SILA. Congregate care or foster family homes may only be used as an interim measure until an independent living program is available or arrangements for SILA can be made.
6. Once an appropriate living arrangement is identified and available, the youth will sign an Enhanced After Care agreement giving the LDSS authority to make living arrangement decisions on behalf of the youth. The youth shall agree to comply with service plan and placement requirements. The local department agrees to provide payment for approved living arrangements. (See attached Enhanced After Care Agreement Form)

7. The youth shall be in compliance with COMAR 07.02.10.03, (in school/training or employed or engaged in activities leading to employment) within 30 calendar days of entry into enhanced after care services. The youth shall also comply with all requirements of the residence and any service plans developed with the LDSS.
  8. Failure to comply with eligibility criteria, residence rules or service plans are grounds for rescission of the enhanced after care agreement. The LDSS shall provide 10 calendar days notice prior to rescission of payment responsibility, including information on procedures for appealing the LDSS decision. The youth may also rescind the agreement with 10 calendar days notice to the LDSS. In any case, eligibility cannot extend past age 21 and shall end upon the youth's 21<sup>st</sup> birthday.
- C. A State may use up to 30% of Chafee funds for room and board for qualified independent living youth. SSA will track spending in the "5120" to ensure that the 30% threshold is not exceeded. All amounts in excess of 30% shall be charged to state funds. SSA will communicate with LDSS staff if state funds should be utilized.
- D. MD CHESSIE Instructions
1. Create Non-CPS Referral
    - a. Type of Referral is "Other" (we will be adding Independent Living Aftercare as a referral type in the September build)
    - b. Type of Service requested = Independent Living Child
  2. Re-Open Service Case
    - a. Program Assignment = Independent Living
    - b. Living Arrangement should reflect where the child is physically residing. The selection of "placement" or "other" is not an option in MD CHESSIE. We will add a new living arrangement "Enhanced Aftercare Services" with the September build. Until it is added, if the child is in an enhanced after care living arrangement, select "own home/apartment"
    - c. Fill in Placement Provider name and address where youth physically resides
  3. Pay for residence costs via Service Log
    - a. Create recurring service log in MD CHESSIE
    - b. Each month, the caseworker will need to pay the enhanced after care provider via the service log purchase authorization.
    - c. Service = "Rent payments/Deposit (paid)"
    - d. Fiscal category = "Room and Board (18-21) – 5120"



**Exit Care Checklist**

Name of Youth \_\_\_\_\_ DOB \_\_\_\_\_

Client ID# \_\_\_\_\_ LDSS \_\_\_\_\_

1) Upon exiting care, the youth will reside:

☐ With Parent: \_\_\_\_\_

address: \_\_\_\_\_

☐ With Relative: \_\_\_\_\_

address: \_\_\_\_\_

☐ With Non-relative: \_\_\_\_\_

address: \_\_\_\_\_

☐ On own \_\_\_\_\_

2) The youth's Contact information is as follows:

Home phone \_\_\_\_\_ Cell phone \_\_\_\_\_

Email address \_\_\_\_\_

Facebook, MySpace, Twitter, etc contact name \_\_\_\_\_

3) The youth's last FIM meeting was held on \_\_\_\_\_

4) The LDSS is ☐ in agreement with the youth exiting care.☐ is not in agreement with the youth exiting care.5) The youth is financially ☐ independent ☐ dependent.

6) The youth has successfully completed the following life skills classes. (Attach list of classes, if more space is needed)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, \_\_\_\_\_, have received my health passport, original birth certificate, social security card, and a Maryland issued ID. I have been informed of community resources, the Foster Kids Coverage Act and Independent Living Aftercare Services that I may be eligible to receive.

_____ Youth's Signature	_____ Date	_____ Worker's Signature	_____ Date
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_____ Supervisor's Signature	_____ Date	_____ Director's (or designee) Signature	_____ Date
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**ENHANCED AFTER CARE AGREEMENT**

I, \_\_\_\_\_, agree to be an active participant in the Enhanced After Care Services Program by adhering to and complying with the service plan and all residence requirements. I understand that the local department of social services will make decisions about where I will live and will provide financial assistance to support my residence.

As a condition of the program, within 30 calendar days of my entry into After Care status, I shall be attending school/training, employed or engaged in activities that will lead to gainful employment. If I fail to comply with eligibility requirements, the local department of social services will provide me with 10 calendar days written notice of the decision to cease payment responsibility.

If I decide to cease services, I shall provide the local department of social services with 10 calendar days notice. In any case, services will not extend past my 21<sup>st</sup> birthday.

\_\_\_\_\_  
Youth's Signature Date

\_\_\_\_\_  
After Care Specialist's (or Caseworker) Signature Date

\_\_\_\_\_  
Assistant Director's (or designee) Signature Date